

**BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON
BOARD MEETING MINUTES
April 26, 2010**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, April 26, 2010, at 10:00 a.m. **COMMISSIONERS P.W. SCHULTE, RON AVERILL and F. LEE GROSE** were in attendance. **Chairman Schulte** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Grose** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, April 19, 2010. **Commissioner Averill** seconded the motion.

Motion carried 3-0

Notice

Commissioner Averill made a motion to approve Notice Item one. . **Commissioner Grose** seconded the motion. Karri Muir, Clerk of the Board read the item into the record.

1. Call for Bids: For the Wold Road surplus properties. Bids will be opened on or after 10:00 a.m., on Monday, May 24, 2010. Resolution No. 10-103

Larry Unzelman, Public Works, stated in 2009 Lewis County acquired 12 properties located off Wold Road in Ashford, WA. This was the result of the 2006 flood leaving these properties without vehicular access and the County's determination that reconstruction of Wold Road was impractical.

The properties were purchased based on appraisals that assumed that the properties had legal vehicular access. They will be offered for sale with no vehicular access which will substantially reduce the minimum bid amounts from prices paid by the County to acquire these properties.

Resolution 10-068, passed by the Board of County Commissioners on March 15, 2010, declared the intent of the Board to sell the properties in conformance with LCC 3.30 and instructed the Public Works department to examine the properties, determine the minimum bid amount by appraisal, and then report the findings to the board.

The Surplus Property Report submitted, recommends that the properties be sold at auction with a minimum bid amount of \$69,800.00 for Tract "A" and \$27,200.00 for Tract "B".

The Surplus Property Report also suggests that to reach as many prospective buyers as possible that notice of the time, date, and place of auction be published in the newspaper. Also, that the same notice be mailed to those persons who sold their Wold Road properties to Lewis County and to those who have expressed an interest in these properties.

He also noted that in the publications and on the deeds to the properties it will state the properties are sold "as is" and there is no vehicular access.

Commissioner Averill stated we have been dealing with this area for some time. We bought properties previously because of another flood.

Mr. Unzelman stated we did purchase properties before and none of these are part of that group.

Commissioner Averill noted that Wold Road has been a problem for some time. The roads have been washed out a number of times. In the 2006 flood the road was washed away so bad there was not an alternative course to rebuild it. That is why we made the decision that we could not open the road.

Commissioner Grose asked if we were attaching something to the properties stating we would not permit building on them in the future.

Mr. Unzelman stated there is a document recorded that is in place currently, that says that the properties in the flood way cannot be built on and that each of the other properties would be considered individually before any permits were issued. It is clear that this is on a case by case basis and it is not a sure thing that they can be built on. On the deeds a reference will be made to that as well as the no vehicular access.

Motion carried 3-0

Consent

Commissioner Grose made a motion to approve Consent Items two through eight. **Commissioner Averill** seconded the motion. Karri Muir, Clerk of the Board read the item into the record.

2. Resolution No. 10-104 Publishing the 2009 County Forces Costs.

Rod Lakey, Public Works, stated pursuant to RCW 36.77.070, the Board of County Commissioners is required to publish in a newspaper of general circulation, a brief description and cost estimate of construction projects completed by County Forces, where the cost estimate is in excess of \$2,500.00. County Forces construction is defined in WAC 136-18 as construction work performed by personnel carried on the county payroll using county owned, leased or rented equipment.

Commissioner Averill state the Legislature changed how we identified these projects; they used to be called Day Labor. These are projects that are completed by county employees. He asked if there was a limit on what we can do with County Forces.

Mr. Lakey stated that is correct and County Forces will be the term used from now on. He noted that the limit used to be a percentage of the construction, from this point forward it is based on the county's size and a percentage of the gas tax. Lewis County's gas tax is about \$1.2 million per year. The following projects were done in 2009 by County Forces:

2136	Countywide Misc Safety & Guardrail	\$ 21,310.00
2120	2008 Misc Safety & Guardrail	\$ 54,349.00
N/A	Countywide 3R Program – CTB	\$847,377.00
N/A	Countywide 3R – BST	\$232,803.00

* TOTAL \$1,155,839

3. Resolution No. 10-105 List of bids and contractors for the Lewis County 2010 Gravel Proposal.

Rod Lakey, Public Works, stated An Invitation to Bid was issued by Public Works on March 17, 2010 for the Lewis County 2010 Gravel Proposal per our small works process adopted via Resolution 09-226. Project notifications were sent via email and faxed to all companies on the small works roster-rock crushing category. This proposal gave each company the opportunity to bid on material supply at to 11 different locations. Each location was a standalone bid and each company had a chance of being awarded one of more of the sites. Public Works received 6 responsive bids for this project on April 12, 2010 with the following results:

<u>Schedule</u>	<u>Stockpile Site</u>	<u>Material</u>	<u>Company</u>	<u>Quantity</u>	<u>Total</u>
A.	Hanaford Pit	½ No. 4	Sterling Breen	2,280	\$23,450.60
E.	Vegetation Shop	½ No. 4	Sterling Breen	210	\$2,630.36
K.	Kiona (1/2)	½ No. 4	Sterling Breen	1,550	\$29,887.37
Sterling Breen – Total:					\$55,962.33
B	Bunker Pit	½ No. 4	Alderbrook Quarry	1,650	\$19,991.81
C	Meskill Pit	½ No. 4	Alderbrook Quarry	700	\$ 9,876.09
D	Pleasant Valley	½ No. 4	Alderbrook Quarry	930	\$11,268.11
H	Larson	3/8 No. 10	Alderbrook Quarry	15	\$ 286.75
Alderbrook Quarry- Total:					\$41,422.76
F	Drop Box	½ No. 4	Good's Quarry	1,570	\$21,558.85
Good's Quarry- Total:					\$21,558.85
G	Brim	½ No. 4	Dulin Const.	1,600	\$22,143.12
Dulin Const. –Total:					\$22,143.12
I	Larson	½ No. 4	Martin Sand	2,470	\$39,769.84
J	Kiona	3/8 No. 10	Martin Sand	230	\$4,644.56
Martin Sand –Total:					\$44,414.40

Due diligence was taken in order to get competitive bids. Gravel should be delivered by the third week in May, 2010.

4. Resolution No. 10-106 Proposed acquisition of additional right of way for Pe Ell McDonald Road.

Rod Lakey, Public Works, stated the Pe Ell McDonald Road, in conjunction with a culvert replacement project, will require guardrail installation. This project is part of the Pe Ell McDonald Road Rehabilitation Project and is grant funded through STP funds. The project will require additional right of way from one property owner.

5. Resolution No. 10-107 Approving a Development Agreement vesting 200 afternoon peak hour trips within the proposed Port of Chehalis Scheme of Harbor Improvements.

Rod Lakey, Public Works, stated in an effort to promote development, the Port of Chehalis is developing a Scheme of Harbor Improvements master planning effort. This master plan identifies seven proposed plat areas within the City of Chehalis Urban Growth Area totaling approximately 250 acres. Environmental issues, including traffic impacts, associated with development of these areas are being explored at this time by the Port to further increase the viability of development within the future platted areas of the Scheme of Harbor Improvements.

The Port of Chehalis is proposing a Development Agreement with Lewis County to vest 200 afternoon peak hour trips for developments within The Port of Chehalis' Scheme of Harbor Improvements. This would allow developments within the Port to proceed with minimal traffic analysis, as outlined in the proposed agreement, so long as the collective number of afternoon peak hour trips for the seven proposed plat areas do not exceed 200. The Port has conducted two recent traffic studies, one in June 2008 and one in March of 2009, demonstrating 200 trips will not impact congestion on the County Road system in an adverse way. Public Works has reviewed these documents and concurs that the level of analysis completed by these studies is sufficient to grant the Port afternoon peak hour trips, not to exceed 200, per the stipulations of this agreement. The terms may change if we implement something such as impact fees.

Commissioner Averill noted that we had received substantial documentation on this project from the Port of Chehalis and it has been reviewed. He recommends we pass this resolution.

Jim Rothlin, Executive Director, Port of Chehalis, stated he appreciates the partnership with the County on this. The Port of Chehalis has been working the past couple of years to have shovel ready land for investors. This will be another tool for them to attract more customers.

6. Resolution No. 10-108 Approving a contract with the US Department of Housing and Urban Development, McKinney Program.

Michaëlle Sorlie, Social Services, stated that Lewis County has a contract with the Lewis County Shelter Program to provide transactional housing to homeless families. This contract extends the current McKinney program to April, 2011. Nine families will be placed in houses with this funding. Grant funding will be used to lease properties, operate the housing and pay the salary of one full time position. The award is as follows:

Total award:	\$108,814.00
Leasing	\$53,011.00
Supportive Services	\$40,668.00
Operating Costs	\$10,051.00
Administration	\$ 5,084.00

7. Resolution No. 10-109 Approving a grant agreement with the WA State Department of Health to develop an action plan on how Lewis County would manage the Vader water system if DOH initiates receivership.

Barb Kincaid, Community Development, stated this resolution will allow the County to accept a grant from the Department of Health to develop an action plan to show how Lewis County would operate and manage the Vader water system if it went into receivership.

Commissioner Averill stated this has been a long standing problem with the water system in Vader. The City of Vader is in financial trouble and they do not have the resources to get loans or grants to help with the water situation. The County is helping so the people of Vader have safe drinking water. We are in the process of making this happen and this is one of the steps in the process.

8. Resolution No. 10-110 Approving a personal service agreement with the FCS Group.

Barb Kincaid, Community Development, stated this grant is for \$21,780. This funding is to further the South Lewis County Sub Regional utility work. This will fund workshops to discuss the governance and structure of financing and the regional mission.

Commissioner Averill stated we have been working on this plan for three years. One issue we have had to deal with was how to do economic development in coordination with the State Regulatory agencies. We are also looking at the access to services that would be necessary to support economic development. In working with the City of Vader, the City of Toledo, and the City of Winlock, and the Cowlitz Tribe, we have some agreements on the sub area plan and are working toward a utility that serves the area. We are also looking at the long range transportation plan on Highway 505. There are a number of different pieces that we are putting together. Unfortunately when we got the original funding we didn't anticipate the recession. After the first year of the project the funding went away and we are trying to get resources to keep it going. He noted that Barb Kincaid has been very responsible for making this happen. He thanked Barb for her work on this project.

Motion carried 3-0

Hearing

Hearing

Open Space Land Classification

Chairman Schulte announced the hearing and asked for a staff report.

Dianne Dorey, Lewis County Assessor, stated the purpose of the hearing is to classify properties into the Open Space Timber Program. Some of the properties are new and some have been in other programs and the owners would like them transferred into this program. To be in the Open Space Timber Program you have to have between five and twenty acres. Some of the properties may be less than that due to the fact that they already have contiguous properties in the program.

Commissioner Averill stated that it is a five acre minimum to be in the program, and properties listed under the five acres are adjacent to other properties that are in the program. He noted that one of the concerns that the Board has had, is that when we get into to the functional use of properties, it is sort of a Growth Management thing, which is determined through the Planning Commission process. At the same time we have this tax program, which appears to be sort of a zoning thing, but it is not. It is a program which helps people that are in natural resource type of activities to receive a tax break, while at the same time protecting the resources on their property. So, one of his concerns is to make sure that we don't have something in this program in a zone it

couldn't be in, such as a commercial zone. We have been working closely between the Assessor's Office and the Community Development Department to make sure that these parcels should be in the program from the stand point of the tax basis and the stand point of the zoning.

Ms. Dorey stated the requirement to be in the Open Space Timber Program is you must plant, harvest, replant, merchantable timber.

Commissioner Averill stated that last year the Board found out that we were overstepping our bounds by doing all of the Open Space Land Programs. The Board is only allowed to hear the Open Space Timber Programs and the Open Space lands designated by the Public Benefits Rating Committee.

Chairman Schulte asked if there were any more questions. There were none. He closed the question and answer portion of the hearing and opened the formal hearing. He asked if there was anyone who would like to speak for or against Resolution 10-111.

Ms. Dorey asked that her previous comments be adopted into the record. She introduced Susan Johnson, Open Space Coordinator. She noted that she does an outstanding job working with the tax payers.

Chairman Schulte closed the hearing and asked for a motion to approve Resolution No. 10-111.

Commissioner Averill moved to approve Resolution No. 10-111. **Commissioner Grose** seconded the motion. Karri Muir, Clerk of the Board, read the item into the record.

Motion carried 3-0

There being no further business, the Commissioners' public meeting adjourned at 10:36 a.m. on April 26, 2010. The next public meeting will be held Monday, May 3, 2010, at 10:00 a.m.

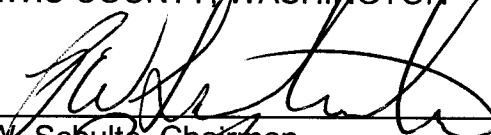
Please note that minutes from the Board of County Commissioners' meetings are not verbatim. A recording of the meeting may be purchased at the Commissioners' office.

ATTEST:


Clerk of the Board
Lewis County Commissioners



BOARD OF COUNTY COMMISSIONERS
LEWIS COUNTY, WASHINGTON


P.W. Schulte, Chairman


Ron Averill, Commissioner


F. Lee Grose, Commissioner